

HONORABLE RICHARD A. JONES

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
STATE, *et al.*,

Federal Defendants.

No. 2:20-cv-00111-RAJ

**DECLARATION OF PRATIK A. SHAH  
IN SUPPORT OF MOTION TO  
INTERVENE BY THE NATIONAL  
SHOOTING SPORTS FOUNDATION,  
INC. AND FREDRIC'S ARMS & SMITHS,  
LLC**

NOTE ON MOTION CALENDAR:  
FEBRUARY 28, 2020

I, PRATIK A. SHAH, declare as follows:

1. I am over 18 years of age and have personal knowledge of all the facts stated herein.
2. I am a partner at Akin Gump Strauss Hauer & Feld LLP and counsel for the National Shooting Sports Foundation, Inc. and Fredric's Arms & Smiths, LLC in this matter.
3. Prior to filing the instant motion for intervention, I initially conferred on February 7, 2020, with attorneys in the Washington Attorney General's Office, including Kristin Beneski,

1 Assistant Attorney General, and set forth the basis of my clients' proposed intervention. After  
2 surveying the other State Plaintiffs, the Washington Attorney General's Office (via email from  
3 Ms. Beneski on February 10, 2020) indicated the States' position on the motion to intervene, as  
4 follows: "The States will not oppose your motion to intervene, on the conditions that (1) your  
5 clients' briefing is limited to the severability issue and (2) the relief they request would not alter  
6 the current (pre-implementation) status quo as to software and technology related to 3D-printed  
7 guns." I will continue to confer with the State Plaintiffs, as appropriate, on whether there is any  
8 potential way of resolving the severability issue. However, particularly given the time sensitivity  
9 (because the Plaintiffs have filed a motion for a preliminary injunction), we are filing the instant  
10 motion to protect our ability to intervene and make arguments reflecting our distinctive position  
11 on the States' challenge to the Rules.

12 4. Prior to filing the instant motion for intervention, I conferred on February 7, 2020,  
13 with Eric Soskin, an attorney at the Department of Justice who represents the Federal Defendants  
14 in this matter. By email dated February 10, 2020, Mr. Soskin stated the Federal Defendants'  
15 position as follows: "We do not believe the Court has jurisdiction over this action. However, to  
16 the extent the Court exercises jurisdiction, we do not oppose your intervention as of right under  
17 FRCP 24(a)(2)." I will continue to confer with the Department of Justice as appropriate.

18 I declare under penalty of perjury under the laws of the District of Columbia, the State of  
19 Washington, and the United States of America that the foregoing is true and correct.

20 DATED this 11th day of February, 2020, at Washington, D.C.

21 /s/ Pratik A. Shah  
22 Pratik A. Shah  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 11th, 2020, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notice of filing to all parties registered in the CM/ECF system for this matter.

DATED: February 11th, 2020

/s/ Ross Siler  
Ross Siler